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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

|                           |   |                                       |
|---------------------------|---|---------------------------------------|
| UNITED STATES OF AMERICA, | ) | No. 3-12-71282-MAG                    |
|                           | ) |                                       |
| Plaintiff,                | ) | STIPULATION AND <del>[PROPOSED]</del> |
|                           | ) | ORDER EXTENDING TIME PURSUANT         |
| v.                        | ) | TO FED. R. CRIM. P. 5.1 AND 18 U.S.C. |
|                           | ) | § 3161(h)                             |
| MIGUEL ARENAS,            | ) |                                       |
|                           | ) |                                       |
| Defendant.                | ) |                                       |

The parties, by and through counsel, stipulate and agree as follows:

1. The time limits in Fed. R. Crim. P. 5.1(c) shall be extended to and until February 21, 2013, and the hearing scheduled for February 5, 2013, vacated.
2. Counsel for the United States and the defendant wish to exchange certain information, and to meet and confer prior to the time of Indictment to discuss a potential resolution of the case. Counsel for the defendant believes based on the charge alleged in the Complaint that it is in the best interest of the defendant to obtain further information, consult with the defendant, and meet with the government prior to Indictment; counsel for the government believes that it is in the interests of justice to do so. The parties agree that extending the time limits of Rule 5.1

1 serves the ends of justice and outweighs the interests of the public and the defendant in a speedy  
2 trial, and that failing to extend the time limits would deny counsel for the government and the  
3 defendant the reasonable time necessary for effective preparation, taking into account the  
4 exercise of due diligence. 18 U.S.C. § 3161(h)(7).

5 3. The hearing scheduled for February 5, 2013, for defendant Arenas should be vacated.  
6 The next court appearance in this case shall be February 21, 2013, at 9:30 am before the  
7 duty magistrate in San Francisco, for preliminary hearing or indictment. The parties may seek  
8 further extension of the time limits in Rule 5.1(c) by stipulation.

9 SO STIPULATED AND AGREED,

10  
11 DATED: MELINDA HAAG  
United States Attorney

12 /s/

13  
14 JOHN H. HEMANN  
Assistant United States Attorney

15  
16 /s/  
17 DATED: RANDY SUE POLLOCK  
Counsel for Miguel Arenas

18  
19 ~~PROPOSED~~ ORDER

20 Pursuant to stipulation, Fed. R. Crim. P. 5.1, and 18 U.S.C. § 3161(h)(7), IT IS SO  
21 ORDERED.

22  
23 DATED: February 5, 2013

24   
MARIA ELENA JAMES  
United States Magistrate Judge